

Message Text

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ACTION SCS-03

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FM AMEMBASSY MADRID

TO SECSTATE WASHDC IMMEDIATE 1380

C O N F I D E N T I A L MADRID 1974

E.O. 11652: GDS

TAGS: CASC

SUBJ: PROPOSED SPANISH GOVERNMENT AMNESTY FOR PRISONERS

REF: STATE 62409

1. THERE HAVE BEEN FREQUENT REPORTS IN RECENT WEEKS THAT GOVERNMENT WILL SOON ANNOUNCE FAR REACHING "INDULTO" COMMUTATION OF SENTENCES) IN CONNECTION WITH CURRENT OBSERVATIONS OF HOLY YEAR. EMBASSY SOURCES CONFIRM DEPT'S INFORMATION THAT DECREE HAS BEEN DRAFTED, THOUGH PRECISE TERMS ARE BEING CLOSELY HELD. SOURCES IN MILITARY/ LEGAL FIELD CONFIRM THAT "INDULTO" WILL ALSO BE APPLIED TO MILITARY OFFENDERS. "INDULTO" ALSO EXPECTED TO BE USED TO END DISCIPLINARY SUSPENSION OF ACTIVITIES OF VALLADOLID UNIVERSITY, THUS PERMITTING STUDENTS TO FINISH ACADEMIC YEAR.

2. ACCORDING TO PRESS SPECULATION "INDULTO" WAS TO HAVE BEEN DISCUSSED AT MAR 21 COUNCIL OF MINISTERS MEETING WITH FORMAL ANNOUNCEMENT TO FOLLOW SOMETIME DURING HOLY WEEK. FOLLOWING CABINET MEETING MAR 21, HOWEVER, INFORMATION MINISTER HERRERA SAID "INDULTO" HAD NOT BEEN DISCUSSED AND HE DECLINED TO SPECULATE ON PROBABLE TIMING OF ANNOUNCEMENT, NOTING ONLY THAT HOLY YEAR CONTINUES UNTIL DEC 31. SPANISH CRIMINAL LAWYERS WHO NORMALLY FOLLOW SUCH DEVELOPMENT S CLOSELY STATE THAT "INDUSTO" WILL PROBABLY BE ANNOUNCED LATER IN YEAR, POSSIBLY IN CONNECTION WITH SOME NATIONAL HOLIDAY, SUCH AS ANNIVERSARY OF JULY 18 UPRISING.

3. LAST "INDULTO" IN 1971 FREED PRISONERS WITH SIX MONTHS OR LESS OF SENTENCES TO SERVE, REDUCED LONGER SENTENCES BY INCREMENTS OF 50 PERCENT, THEN 25 PERCENT, DEPENDING UPON LENGTH OF SENTENCE
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REMAINING. IF NEW COMMUTATION FOLLOWS THIS PATTERN, WE WOULD EXPECT

SOME AMERICANS TO BE FREED, OTHERS TO HAVE SENTENCES REDUCED.

4. EMBASSY WILL CONTINUE EFFORTS TO FIND OUT DETAILS OF PROPOSED
"INDULTO" AND KEEP DEPT INFORMED. STABLER

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